

REMARKS

Claims 1-4, 6, and 10 are all the claims presently pending in the application. While Applicant completely disagrees with the Examiner's prior art rejections, to speed prosecution, claims 1, 6, and 10 have been amended to incorporate the allowable subject matter of claim 3 and claim 3 has been canceled. No new matter has been added.

Regarding the Examiner's Rule 1.83(a) objection, the limitations of claim 3 (now found in claim 1) are shown in Figs. 1 and 11 (see also page 14, lines 16-25 of the original filed specification which clearly states that such Figures show such a feature). That is, Figs. 1 and 11 shows the transparent inorganic binding layer 3 having a thickness equal to or less than an average diameter of the inorganic material particles 1 (or 101).

The title has been amended in a manner believed fully responsive to the points raised by the Examiner, thereby to pass all of the claims to allowance.

Claim 1 stands rejected under 35 U.S.C. §102(e) as being anticipated by Izuno et al., (U.S. Patent Application Publication No. 2004/40061433). Claims 1, 2, 4-6 and 10 stand rejected under 35 U.S.C. 102(e) as being anticipated by Shaddock (U.S. Patent No. 6,518,600). These rejections are rendered moot.

It is noted that any claim amendments herein are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims, or for any statutory requirements of patentability.

Further, it is noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Serial No.: 10/753,870
Docket No.: PTGF-03104
HIR.086

7

FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-2 and 4-10, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Te Commissioner is hereby authorized to charge any deficiencies in fees or to credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,



Sean M. McGinn, Esq.
Registration No. 34,386

Date: 12/18/08
MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 21254